

RESOLUTION NO. CZAB10-6-03

WHEREAS, **CORAL WEST, LTD.** applied for the following:

GU to RU-3M

SUBJECT PROPERTY: The north ½ of the east ½ of the SE ¼ of the SE ¼ of Section 9, Township 54 South, Range 39 East AND: The south ½ of the east ½ of the SE ¼ of the SE ¼ of Section 9, Township 54 South, Range 39 East, less the south 50' thereof for right-of-way of S.W. 26 Street (Coral Way) per Official Records Book 18324, Page 4152.

LOCATION: The Northwest corner of S.W. 147 Avenue & S.W. 26 Street (Coral Way), Miami-Dade County, Florida, and, and

WHEREAS, a public hearing of the Miami-Dade County Community Zoning Appeals Board 10 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and at which time the applicant proffered a Declaration of Restrictions which among other things provided:

1. That said Property shall be developed substantially in accordance with the plans previously submitted, prepared by Thomas & Calzadilla Metropolitan Architects titled, " Coral Way & 147th Avenue", consisting of 4 sheets, dated the 20th day of January, 2003, said plans being on file with the Miami-Dade County Department of Planning and Zoning, and by reference made a part of this agreement.
2. That the total number of units on the Property shall not exceed 154.
3. That subject to all necessary approvals from Miami-Dade County, a five (5) foot masonry wall shall be provided and maintained along the Southwest 26th Street frontage of the Property setback approximately two (2) feet from the Property line. A hedge shall be provided between the wall and the Property line.
4. That the garages for the homes on the Property shall not be enclosed with a masonry wall or otherwise.
5. That each lot within the west 75 feet of the Property shall have a minimum width of forty-five feet (45').
6. That each townhouse with the west 75 feet of the Property shall be no less than 2,300 square feet in size and shall include a garage capable of accommodating at least two (2) passenger cars.
7. That all townhouses shall provide a garage capable of accommodating at least one (1) passenger car.

8. That any modification to the Site plan shall require the written approval of Concerned Citizens of West Dade, Inc. Subdivision No. 1.

WHEREAS, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

WHEREAS, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested district boundary change to RU-3M would be compatible with the neighborhood and area concerned and would not be in conflict with the principle and intent of the plan for the development of Miami-Dade County, Florida, and should be approved, and that the proffered Declaration of Restrictions should be accepted, and

WHEREAS, a motion to approve the application and to accept the proffered Declaration of Restrictions was offered by Jesus Rodriguez, seconded by Manuel Casas, and upon a poll of the members present the vote was as follows:

Jose M. Blanco	aye		
Manuel Casas	aye	Jesus Rodriguez	aye
	George A. Alvarez	aye	

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 10, that the requested district boundary change to RU-3M be and the same is hereby approved and said property is hereby zoned accordingly.

BE IT FURTHER RESOLVED that, pursuant to Section 33-6 of the Code of Miami-Dade County, Florida, the County hereby accepts the proffered covenant and does exercise its option to enforce the proffered restrictions wherein the same are more restrictive than applicable zoning regulations.

BE IT FURTHER RESOLVED, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary changes and notations upon the maps and records of the Miami-Dade County Department of Planning and Zoning and to issue all permits in accordance with the terms and conditions of this resolution.

PASSED AND ADOPTED this 19th day of February, 2003.

Hearing No. 02-12-CZ10-2
ej